

F
199
355

Suggestions as to Four Semi-National
and Necessary Improvements
to the Capital City.

BY

LOUIS P. SHOEMAKER.



WASHINGTON, D. C.
JUDD & DETWEILER, PRINTERS
1899



Class F 193

Book . S 55

1111
1111

Suggestions as to Four Semi-National and Necessary Improvements to the Capital City.

Now that we are in a position to recur to peaceful pursuits, and while our national Treasury is in a condition to justify any reasonable expenditure for necessary Federal undertakings, it becomes the duty of Congress to pursue a more liberal policy, generally speaking, and provision should at once be made for the establishment of four *necessary* improvements, which are *national* advantages to the Capital City. It is important that they should be urged, not merely because they will adorn, beautify, and make it more healthful, but because they are, as stated, in the strict sense of the word *necessities*.

First. The acquisition of land for the proposed street plan and the actual extension—that is, the grading and regulating of some of the more important and leading thoroughfares.

Second. The improvement of Rock Creek park.

Third. The construction of at least two substantial bridges over the Potomac river, connecting Washington city and also West Washington with Virginia.

Fourth. The dredging of the Eastern branch and the filling and reclamation of the several hundred acres of low land adjacent thereto.

Considering these four suggestions seriatim, we are reminded that Congress passed what is known as the street-extension act without appropriating any money from the United States Treasury to pay for damages incurred by reason of the execution thereof and without authorizing that payment should be made from funds of the District of Columbia.

Consequently, many of our people who own land beyond the limits of the city have been for six years involved in litigation; they have had the title to their holdings detrimentally affected, not only by such litigation, but by the filing of numerous maps which have had the effect of virtually appropriating from thirty to fifty per cent. of the land for street purposes, and this proceeding has operated as a destruction of private property rights to a great extent. It has prevented many of these owners from building, from selling or from borrowing money upon their property, and no sort of compensation has been made, nor is any proposed to be made, generally speaking, notwithstanding the fact that all this hardship has been incurred by the people.

Surely Congress should realize, at this late day, the injury which has been perpetrated upon the land-owners of this District through its agents, because at least six years of time have been spent in harassing the people by employing counsel, filing maps, causing litigation extending from the lowest to the highest courts, and by refusing to pay the awards of juries approved by the court, and consequently we have not been able to secure the actual extension of even the necessary and most important streets. It is now time to realize that this proposed and necessary undertaking is not only national in its character, but a real *necessity* to the Capital City, and that the cost thereof should be paid from the national Treasury. This attempt to confiscate private property by authority of the Congress of the United States should be discontinued.

Considering the second suggestion, we find that Congress, on the 27th of September, 1890, as will be ascertained from the following quotation of section 1 of the act, authorized the establishment of a public park of national proportions, for the benefit of the people of the United States.

“AN ACT authorizing the establishing of a *public park* in the District of Columbia,” approved September 27, 1890.

“SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a tract of land lying on both sides of Rock creek, beginning at Klinge Ford bridge, and running northwardly, following the course of said creek, * * * as the commissioner designated in this act may select, shall be secured, as hereinafter set out, and be perpetually dedicated and set apart as a public park or pleasure ground for the benefit and enjoyment of the people of the United States, to be known by the name of Rock Creek park.” (See 26 Stat., 492.)

And also the following extract, to show how the land shall be paid for, which reads as follows :

“To pay the expense of inquiry, survey, assessment, cost of lands taken and all other expenses incidental thereto, the sum of \$1,200,000 is appropriated out of any money in the Treasury not otherwise appropriated, one-half of which, as well as one-half of any sum annually appropriated and expended for the maintenance and improvement of the park, is made a charge upon the revenues of the District of Columbia.

“It is made the further duty of the commission, when they have ascertained the amount required to be paid for the land and for expenses, to assess the same upon the lands, lots, and blocks situated in said District specially benefited by reason of the location and improvement of said park, in proportion to such benefits to said property ; and it is provided that if the commission shall find that the benefits are not equal to the cost and expenses of the land obtained for the park, they shall assess each tract specially benefited to the extent of the benefit thereto. If the proceeds of the assessment exceed the cost of the park, the excess is to be used in its improvement, if such excess shall not exceed the amount of ten thousand dollars.”

This park is no more a local improvement than the new Congressional Library or other public buildings and grounds in the District, as evidenced by the following quotation from section 3 of said park act :

* * * “Upon depositing the appraised value of the land in court to the credit of such owner or owners, respectively, the fee-simple shall in like manner be vested in the United States.”

Without being satisfied with this injustice legislatively imposed upon the few land-owners of the District by directly taking from the revenues thereof *six hundred thousand dollars* for a *national* improvement to the Capital City and legislatively declared to be of a Federal character for the benefit of *all the people of the United States*, Congress sought in the same act to tax the people of this District with the other half of the cost thereof by special assessment.

Fortunately for these owners real estate has been depressed and no special benefits could be found to exist by reason of the establishment of said park, and no assessment for the other half could be made.

But the intention of Congress has been expressed and its desire has been exerted to establish here a national improvement, legislatively declared to be Federal, and require the few land-owners of the District of Columbia to pay the *entire cost* of not only the acquisition of the land, but the expense which will have to be incurred in its improvement.

What authority can possibly exist for the establishment either here or elsewhere by Congress of a legislatively declared national undertaking or improvement and the imposition of its cost upon a few thousand tax-payers to the exclusion of all others. What constitutional provision can be found to authorize it? What fundamental principle of taxation exists to sustain it?

If this is a constitutional and legal thing to do, then the few people who happen to own land in the District of

Columbia can be taxed to bear other and more extensive burdens of the nation, to the exclusion of all the other tax-payers of the country. *This sum of \$600,000 should be refunded to the District of Columbia.*

It is a well-recognized fact that this proceeding, which is so intensely unjust, as well as the result thereof, is a thing of the past and a matter of history. It is mentioned here, however, with no idle or unintentional purpose, but with two objects in view :

A. To inform the tax-payers, many of whom are not aware of the extent to which Congress will go and has gone in the exercise of its constitutional power, to legislate exclusively for the District of Columbia, and to remind the land-owners of the helpless and neglected, if not dangerous, condition to which they are subjected. It is believed that if the Commissioners of the District of Columbia—that is, at least two of them—were selected by and responsible to the tax-payers, and had access to the floor of the House and Senate, that such provisions as can now be found in the Rock Creek Park act and the street-extension act would not be upon the statute books, both of which have been during the last eight years not only burdensome, but of no practical benefit to the people of this community.

B. The obnoxious features of this particular legislation are again brought to the attention of the public, with the hope that Congress will at least and at this late day appropriate a sufficient sum to improve this National Park. It is growing up largely as a wilderness; it is a disadvantage in its present condition and a damage to abutting property; relieved, somewhat, however, but only to a very small extent, by the capable efforts of our Engineer Commissioner, Captain Beach, who has judiciously used the chain-gang.

The District is losing the interest on six hundred thousand dollars, and has been deprived of the revenue

which would have accrued from taxable real estate included in said park, and no citizen of this city has, since its establishment in 1890, derived any benefit whatever from the purchase, and will not until it is improved.

In support of the third suggestion it will be urged that at least two substantial bridges over the Potomac river should be constructed by the United States.

What a national disgrace it seems to be. What a discredit and disadvantage it is to the National Capital, and what a risk of imminent danger it may be, to have a large United States fort, a Government reservation, a national cemetery, and the great State of Virginia on one side, and the Capital City of the nation on the other, and, practically speaking, no safe or suitable way of crossing the Potomac river which separates them.

One of the existing bridges is an old and dilapidated wooden structure, monopolized by two railroads and controlled by a great corporation, which has sufficient influence with the National Legislature to perpetuate the existence thereof, notwithstanding its unsuitable character and the damage which both public and private property has sustained and will continue to sustain by reason of its location and manner of construction. It has seriously affected the channel of the river in front of Washington. It annually and frequently during the winter season and spring causes the collection of great embankments of ice which prevent the flow of water, thereby placing the city in imminent danger from the effect of high water. Why should this corporation be permitted by Congress, which has exclusive jurisdiction here and exercises it in such an arbitrary and unfair manner when dealing with the tax-payers, as illustrated by the park case and the street-extension case, allow this corporation, for its own benefit, gain, and profit, to prejudice the public and private interests of the National Capital?

The other bridge has been for years seriously defective. Its piers have been and are now in a dangerous condition,

and formerly the people of the District and the State of Virginia were required to pay toll.

This nuisance has, however, been abated, but the old structure remains and is inadequate, dangerous, and unsuitable certainly for public, if not for private, purposes. It can be confidently stated that this bridge, although connecting the Capital with Fort Myer, a governmental reservation, designed for the protection of the National Capital, is not safe to be used in an emergency by the cavalry or artillery, which we are entitled to assume may be called into public service.

Considering the fourth improvement urged herein with reference to the Eastern branch, we are reminded that the entire eastern section of the city as well as that of the District are disastrously affected by the discreditable condition in which this stream has been allowed by Congress to remain since the establishment of the Capital of the United States in Washington, more than one hundred years ago. It was once a navigable stream as far as Bladensburg, and now there is no perceptible channel for any part of the distance beyond the navy yard, showing conclusively that the extent of exposed and disease-breeding territory is becoming more extensive every year.

It affects more particularly the part of the city to which I have referred, but the evil influences arising constantly therefrom spread over the entire city, many parts of which are considerably *less* than one hundred feet above the level of this stream.

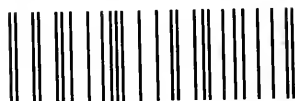
Why shall Congress permit such a nuisance to continue to exist at the Capital of the nation when it can be so completely abated? How can Congress be justified in taxing the people of this country to the extent of perhaps millions to enable our military authorities to cause Havana and other parts of Cuba to be placed in a sanitary condition—territory where we have no vested rights and over which we only claim temporary jurisdiction, sustained by military authority?

If Congress is justified in doing this for the benefit of other peoples and other countries, why shall it continue to permit the Capital City of this nation to remain with inadequate sewer facilities, the densely populated suburbs and immediate environments thereof, practically speaking, with surface drainage and without adequate water supply? Why will Congress permit the Eastern branch and hundreds of acres of low land on the borders thereof to remain unreclaimed and continue to be a menace by spreading its malarial influences over the entire Capital City, endangering, as declared by our physicians and board of health, not only the President of the United States, but the members of his Cabinet, the members of Congress, the members of the Supreme Court, and the thousands of Government employé's who are required to reside here?

Which city should demand our attention first for necessities? Which city is entitled to the expenditure of the people's money, that is being wrought from them in time of peace through the medium of burdensome taxation? Should we say Washington or Havana?

LOUIS P. SHOEMAKER.

LIBRARY OF CONGRESS



0 014 310 486 2

